CITY OF WEST DES MOINES BOARD OF ADJUSTMENT COMMUNICATION

Meeting Date: January 14, 2015

Item: Willow Creek Baptist Church - 720 Army Post Road - Approval of a Permitted

Conditional Use Permit to allow an approximately 13,000 square foot building

addition; PC-002549-2014

Requested Action: Approval of a Permitted Conditional Use Permit

Case Advisor: Brian Portz

Applicant Request: The applicant, Willow Creek Baptist Church, represented by architect Curtis Ehler of Studio Melee, is requesting approval of a Permitted Conditional Use Permit (PC) to allow an approximately 13,000 square foot building addition onto the Willow Creek Baptist Church located at 720 Army Post Road. The property is zoned Residential Medium Density (RM-8). Religious Organizations (SIC 8661) are a Permitted Conditional (Pc) use within this zoning district and therefore the addition requires Board of Adjustment approval. The building addition will provide 6 new children's classrooms, 1 junior high classroom and 1 senior high classroom. The proposed addition will more than double the number of classrooms available for Church members. Classes are typically held during the regular 9:00 AM and 10:45 AM Sunday services. Most of the adult classes occur during the 9:00 AM service, while most of the children's Sunday school classes occur during the 10:45 AM service. Occasionally, the Church offers small Wednesday evening classes on a

History: This property was annexed into the City of West Des Moines in 1988 as a part of the South Raccoon River Annexation. A Permitted Conditional Use Permit for the original Church building was approved by the City Council on March 6, 2000. The 26,452 square foot Church building was constructed in 2001.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on September 11, 2014 to show the proposed architectural design of the building addition. No disagreement with the proposal was expressed. On November 20, 2014 this item was presented to the Development and Planning City Council Subcommittee to get input on a possible deferment of sidewalk and streetlight installation. The Subcommittee was in agreement with the deferral requests. The deferment request will be presented to the Plan and Zoning Commission and City Council at their next meetings.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff would summarize the following key points of interest:

- Parking Lot Landscape Pod Deferral: City Code requires landscape pods (or tree diamonds) within a parking row spaced no farther than 9 parking spaces from another landscape pod or landscape island. There are currently no landscape pods within the existing parking lot. To be in compliance with current Code requirements, landscape pods are required in four (4) locations within the parking lot. Since there are no plans to make any modifications to the existing parking lot with this project and since the existing soil under the parking lot will be compacted and may not contain the required nutrients for a tree to survive, the applicant is requesting a deferral to install the required landscape pods within the parking lot until such time that the parking lot is modified, expanded or reconstructed in the future. Staff recommends a condition of approval requiring that landscape pods be installed at such time that the parking lot is resurfaced or expanded.
- Sidewalk Deferral: Access to the Willow Creek Baptist Church is via a one lane gravel road shared by the Church and MidAmerican Energy that owns the property to the west. This road is slated to become a public street (S8th Street) in the near future as a part of the Microsoft project that is located just to the southeast of the Church property. Since this street is not currently constructed, the Church is requesting a deferral from the sidewalk installation requirement. The Council representatives of the Development and Planning Subcommittee were in favor of the deferral as the sidewalk would be a stand-alone section that does not connect or extend beyond the Church's property. This request will be formally considered by the Plan & Zoning Commission and City Council at their upcoming meetings. Staff is

recommending a condition of approval of the Permitted Conditional Use that a deferral of the sidewalk requirement be granted by the Plan & Zoning Commission and City Council. If the deferral is not granted, the applicant will need to install sidewalks along the Church's property adjacent to S8th Street as part of the building expansion.

• Streetlight Deferral: The applicant is required to install streetlights along the future S8th Street located along the west boundary of the Church property. For essentially the same reason as the request for a sidewalk deferral, the Church is also requesting a deferral of the installation of streetlights. This request will also be considered by the Plan & Zoning Commission and City Council at their upcoming meetings. Staff is recommending a condition of approval of the Permitted Conditional Use that a deferral of the streetlight installation requirement be granted by the Plan & Zoning Commission and City Council. If the deferral is not granted, the applicant will need to install sidewalks along the Church's property along S8th Street as part of the building expansion.

<u>Findings</u>: The Permitted Conditional Use Permit for Willow Creek Baptist Church, to permit the construction of a building addition onto the existing church was reviewed by various City departments. Based upon that review and the conditions of approval, the following findings have been made on the proposed project:

- 1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that the project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan.
- The proposed development and use does assure compatibility of property uses within the zone and general
 area in that this project was reviewed by various City Departments for compliance with the Zoning
 Ordinance.
- 3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare, and safety of the community.
- 4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.
- 5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and public agencies and the project has complied with or has been conditioned to comply with all City Code requirements.
- 6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the Zoning regulations and the Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

<u>Staff Recommendations and Conditions of Approval</u>: Based upon the above review, a finding of consistency with the goals and policies of the Comprehensive Plan, and compliance with the findings necessary for approval, staff recommends the Board of Adjustment adopt a resolution for approval of the Permitted Conditional Use Permit to allow construction of a building addition onto the existing church, subject to meeting all City Code requirements and the following:

- A deferral is granted to defer construction of four landscape pods as designated on the approved site plan until such time that the parking lot is modified, expanded or reconstructed in the future.
- 2. The City Council granting a deferral of the installation of sidewalks along the east side of the future S8th Street. The Specific duration of the deferral to be determined by the City Council. If the deferral is not granted, the applicant shall install the sidewalk in conjunction with the construction of the building addition.

The City Council granting a deferral of installation of streetlights along the east side of the future S8th Street. The Specific duration of the deferral to be determined by the City Council. If the deferral is not granted, the applicant shall install the streetlights along S8th Street in conjunction with the construction of the building addition.

Noticing Information: On December 26, 2014, notice of the January 14, 2015 Board of Adjustment Public Hearing on this project was published in the Des Moines Register Community Section. Notice of this public hearing was also mailed to all surrounding property owners within 370 feet of the subject property on December 23, 2014.

Property Owner: Willow Creek Baptist Church (f/k/a Airport Baptist Church)

720 Army Post Road

West Des Moines, Iowa 50265

info@creekchurch.com

Applicant: Curtis Ehler

STUDIO MELEE 820 1st Street, Suite 220 West Des Moines, IA 50265 curtis@studiomelee.com

Attachments:

Attachment A Location Map Attachment B Site Plan

Attachment C **Building Elevation Plan**

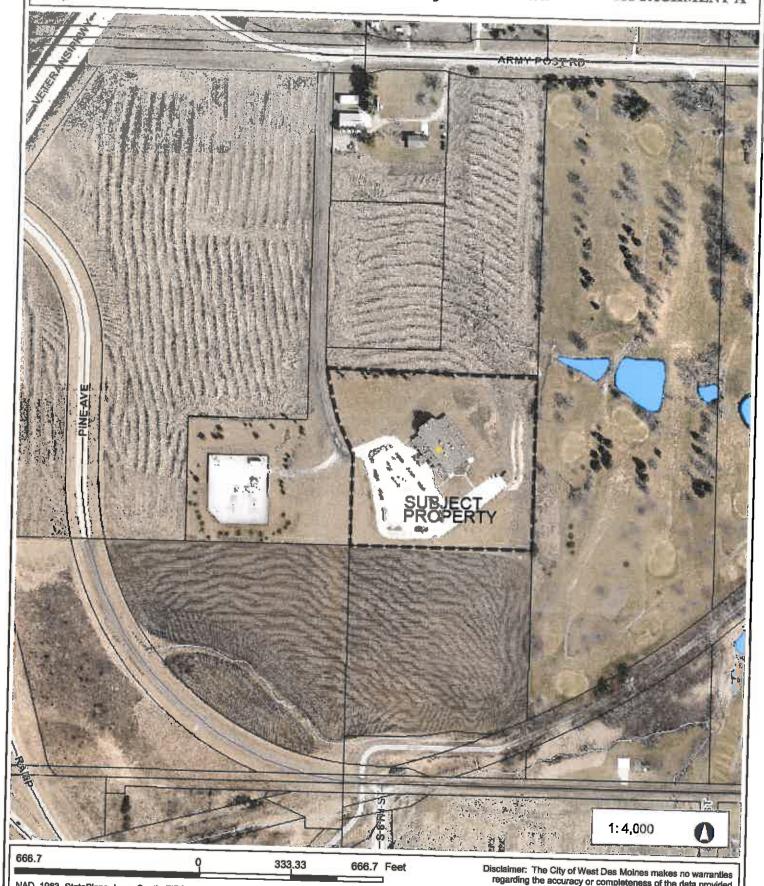
Attachment D Resolution

Exhibit A Conditions of Approval



720 Army Post Road

ATTACHMENT A



NAD_1983_StatePlane_lowa_South_FIPS_1402_Feet
© City of West Des Moines, lowa

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided

THIS MAP IS NOT TO BE USED FOR NAVIGATION

--W-- WATER LINE

-- G--- GAS LINE

--- U/E--- UNDERGROUND ELECTRIC

--- O/E --- OVERHEAD ELECTRIC

-- TELE -- TELEPHONE INC

-- FIG-- FIBER OPTIC

- CATV- CABLE TV

STORM MANHOLE

CURB INTAKE

SURFACE INTAKE

(C) FLARED END SECTION

SANITARY MANHOLE

CI FANOIT FIRE HYDRANT

"C" SPRINKLER

TRANSATION CONTROL VALVE

WATER MANHOY E

(W) WELL WATER VALVE

WATER SHUT OFF

A YARD HYDRANT

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10. TRANSFORMER POLE

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ELECTRIC PANEL

△ TRANSFORMER

∢ GROUND LIGHT - GUY WIRE

DRI ELECTRIC HANDHOLE

AS METER

DE GAS VALVE

AIR CONDITIONING LINE

(T) TELEPHYNE DISCO

TELEPHONE VALLET

TELEPHONE MANHOLE

(B) TRAFFIC SEGNAL MANUAL E

FIRER OPTIC BISCO

FIBER OPTIC FAULT

- SIGN

⑦ DENOTES MUMBER OF PARKING STALLS

PROPERTY CORNER - FOUND AS NOTED

PROPERTY CORNER-PLACED 34" IRON PIPE
WITH YELLOW PLASTIC CAP ID \$14775

SECTION CORNER - FOUND AS NOTED

ABBREVIATIONS

CONCRETE DEEDED DISTANCE

EXISTING ENCLOSURE FINISHED FLOOR FLOW LINE FRACTIONAL

MEASURED DISTANCE MANHOLE
ORANGE PLASTIC CAP
PLATTED DISTANCE

PLATTED DISTANCE
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WDM BENCHMARK 101: 1,84 ± PEET WEST OF THE INTERSECTION
OF SOUTH 11TH STREET AND ARMY POST ROAD, 54,5 FEET NORTH
OF THE CENTERLINE OF ARMY POST ROAD.
ELEVATION (WOM DATING) = 172.02 FEET
ELEVATION (WOM DATING) = 946.03 FEET

GENERAL NOTES:

- ALL WORK SHALL BE DONE IN ACCORDANCE WITH SUDAS STANDARD SPECIFICATIONS AND ANY AND ALL CITY/COUNTY SUPPLEMENTAL SPECIFICATIONS. THE CITY OF WEST DES MOMES MUST BE NOTIFIED BY ALL COMPRICTORS 48 HOURS PRIOR TO COMMENCING WORK.
- W EVENT OF A DISCREPANCY BETWEEN THE QUANTITY ESTIMATES AND THE DETAILED PLANS, THE DETAILED PLANS SHALL GOVERN.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES, ANY DAMAGE TO SAID UTILITIES SHALL BE REPARED AT THE CONTRACTORS EXPENSE.

 4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CURRENT O.S.H.A. CODES AND STANDARDS, NOTHING INDICATED ON THESE PLANS SHALL RELIEVE THE CONTRACTOR FROM COMPLYING WITH THE APPROPRIATE SAFETY REGULATIONS.
- 5. ALL NECESSARY CONSTRUCTION SIGNS, BARRICADES AND OTHER TRAFFIC CONTROL DEVICES REQUIRED DURBIG CONSTRUCTION WILL BE FURNISHED BY THE CONTRACTOR, SIGNS, BARRICADES AND OTHER TRAFFIC CONTROL DEVICES MISTER BE IN CONFORMANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND MICHARIATS, 2005 EDITION.
- 8. BISHOP ENGERHING SHALL NOT BE LIABLE FOR ANY MURIES THAT HAPPEN ON SITE. THIS SHALL NOLLDE BUT NOT BE LIMITED TO TREMCH COLLAPSES FROM YARYING SOIL CONDITIONS OR INJURIES CAUSED BY UNDERBROUND UTILITIES INCLUDING UTILITIES THAT ARE NOT SHOWN ON PLAN.
- CAUSED BY UNDERSKOUND UTLITIES INCLUDING UTLITIES THAT ARE NOT GROWN OF FORM.

 THE CONTINENCTOR IS LIBBLE FOR ALL DAMAGES TO PUBLIC OR PRAVILE PROPERTY CAUSED BY THEIR
 ACTION OR INACTION IN PROVIDING FOR STORM WATER FLOW DURING CONSTRUCTION. DO NOT
 RESTRICT FLOWS IN EQUITING DRAINAGE CHANNELS, STORM SEWER, OR FACILITIES.
- RESIDENT FLOWS IN EARLINGS DIGITAGE CONVENIES, STURM SETTER, ONLY AUGUSTED.

 8. THE CONTRACTOR SHALL SUBMIT TO THE ENGINEER A SCHEDULE FOR PERFORMANCE OF WORK ITEMS, THIS SCHEDULE SHALL BE PROVIDED BY THE CONTRACTOR AT THE PROJECT PRECORSTRUCTION COMPERENCE. NO WORK SHALL BEGIN LIVITIL A SCHEDULE HAS BEEN SUBMITTED AND ACCEPTED. THE CONTRACTOR SHALL THEN PERFORM WORK TO CONFORM TO THE ACCEPTED SCHEDULE.
- LABORATORY TESTS SHALL BE PERFORMED BY THE OWNER UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL PROVIDE SAMPLES OF MATERIAL REQUIRED FOR LABORATORY TESTS AND TESTING IN ACCORDANCE WITH THE URBAN STANDARD SPECIFICATIONS FOR PUBLIC MAPROVENITY.
- 10. SOIL IMPORT OR EXPORT ON THIS PROJECT SHALL BE CONSIDERED INCIDENTAL AND WILL NOT BE MEASURED OR PAID FOR SEPARATELY.
- 11. THE CONTRACTOR SHALL PROTECT ALL STRUCTURES NOT SHOWN AS REMOVALS ON THE PLANS. 12. THE CONTRACTOR SHALL OBTAIN ANY AND ALL NECESSARY PERMITS PROOR TO ALL OSTAIN ANY AND ALL NECESSARY PERMITS PROOR TO ANY CONSTRUCTION. CONTRACTOR SHALL WORK WITH OWNER OR OWNERS REPRESENTATIVE ON ALL REQUIRED STORM WATER DISCHARGE PERMITS FROM THE IOWA DEPARTMENT OF NATURAL RESOURCES AND THE CITY OF VEST IOES MOVIES.
- GRADING AND EROSION CONTROL SHALL BE DONE IN ACCORDANCE WITH THE APPROVED GRADING PLAN, SWPPP, NIPDES DOCUMENTS, AND IOWA DEPARTMENT OF MATURAL RESOURCES REGULIERARY
- THE CONTRACTOR SHALL PICK UP ANY DEBRIS SHILLED ONTO THE ADJACENT RIGHT OF WAY OR ABUTTING PROPERTIES AS THE RESULT OF CONSTRUCTION, AT THE END OF EACH WORK DAY.
- 15. THE CONTRACTOR IS RESPONSIBLE FOR THE PROMPT REMOVAL OF ALL MID THAT HAS BEEN TRACKED OR WASHED INTO ADJACENT PROPERTY OR RIGHT OF WAY UNTIL SUCH TIME THAT PERMANENT VEGETATION HAS BEEN ETRAILISHED.
- DISPOSE OF ALL EXCESS MATERIALS AND TRASH IN ACCORDANCE WITH FEDERAL STATE, AND LOCAL REQUIREMENTS. PROVIDE WASTE AREAS OR DISPOSAL SITES FOR EXCESS MATERIALS NOT DESIRABLE FOR INCORPORATION INTO THE PROJECT.
- ALL WATER WORK, PUBLIC OR PRIVATE SHALL BE DONE IN ACCORDANCE WITH WEST DES MOINES WATER WORKS STANDARD SPECIFICATIONS.
- 18. THE CONTRACTOR SHALL NOTIFY WEST DES MOINES WATER WORKS AT LEAST ONE WEEK PRIOR TO BUILDING CONSTRUCTION
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF WORK OF ALL SUBCONTRACTOR(S) INVOLVED IN THE PROJECT

PAVING NOTES:

- THE PAYING GRADING CONTRACTOR SHALL BACKFILL THE PAYING AND FINE GRADE AS SOON AFTER THE PAYING AS POSSIBLE, ALL AREAS SHALL BE SEEDED IN ACCORDANCE WITH CITY OF WEST DES MOINES STANDARD SPECIFICATIONS AND THE CURRENT VERSION OF SUDAS.
- SUBGRADE PREPARATION AND PAYEMENTS WILL BE CONSTRUCTED FOLLOWING RECOMMENDATIONS IN THE SOR'S REPORT. APPROVED SOILS ENGINEER MUST SIGN OFF ON SUBASE PRIOR TO ANY PAYEMENT
- 3. SEE DETAILS FOR ALL PAVEMENT THICKNESS,
- ALL PEDESTRIAN WALKWAYS THAT UNICAD INTO A VEHICLES TRAVELED PATH MUST HAVE A.D.A. DETECTABLE WARRING PLANEL(8) AS PER A.D.A. REGULATIONS. PANEL TYPE & COLOR SHALL BE PER CITY STRANGED.
- 5. ALL WALKS, PARRONG LOTS, HANDICAP PARKING, RAMPS, ETC. SHALL COMPLY WITH ALL A.D.A. AND CITY COORS. HANDICAP PARKING SIGNAGE IS REQUIRED FOR ALL HANDICAP STALLS AND SHALL BE CONDEPEED INCLIDENTAL. IN EVENT OF A DISCREPAINTY SETWERN THE PLANS AND THE ADJACTTY COORS THE ADJACTTY COORS SHALL GOVERN. CONTRACTOR SHALL SE RESPONSIBLE FOR RESIGNISH.

UTILITY NOTES:

- 1. QUANTITY CALLOUTS ON PIPE LENGTHS ARE APPROXIMATE AND SHOULD BE USED FOR REFERENCE CONST.

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- 2. THE CONTRACTOR SHALL PROVIDE AS-BULTS OF ALL UTILITIES, INCLUDING DEPTH AND LOCATION OF ALL SERVICES.

 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR AS-BUET TOPO OF DETENTION POND & DETENTION POND STORM SEMER. CONTRACTOR SHALL CONTRACT BISHOP DEVINEERING (RICK BALLMOVER AT 151-27-0487) TO PERFORM SAD AS-BUILT SURVEY. IF DETENTION PONDS HAVE SEEN GRADE SHOWN AND AS-BUET SHALL BE RESPONSIBLE FOR ALL SUBSCILLENT AS-BULT TOPO SURVEYS INTERPRETATION. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SUBSCILLENT AS-BULT TOPO SURVEYS UNTIL ISSUES HAVE BEEN RECTIFIED.

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 10. CONTRACT BUILDING INSPECTION (ST-22-3530) A MINIMUM OF 24 HOURS IN ADVANCE FOR PRAYATE
 UTILITY INSTALLATION INSPECTIONS.

UTILITY CONFLICT NOTES:

- UTILITY CONFLICTS MAY EXIST ACROSS THE SITE WITH NEW UTILITIES, GRADING, PAVING ETC. MOST UTILITY CONFLICTS HAVE BEEN CALLED OUT FOR CONTRACTOR CONVENIENCE.
- 2. CONTRACTOR IS RESPONSIBLE FOR ALL UTILITY CONFLICTS THAT ARE EITHER CALLED DUT ON THE PLANS OR THAT CAN BE SEEN ON THE PLANS BETWEEN AND EXISTING UTILITY AND



UTILITY NOTE:

THE LOCATION OF THE UTEITIES INDICATED ON THE PLANS ARE TAKEN FROM BIRSTING PUBLIC RECORDS AND ARE APPROXIMATE LOCATIONS, THE EXACT LOCATIONS OF ALL UTILITIES MUST BE ASCERTAINED IN THE FIELD, IT SHALL BE THE DITY OF THE CONTROLLED. THE DUTY OF THE CONTRACTOR TO DETERMINE WHETHER ANY ADDITION FACILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT.

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FLOOD INFORMATION: This sits loafed in area of non-printed panel, FIRM Panel 1902310021C effective 2-16-2006, with no special fitted hazard areas.



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OWNER / APPLIAGANT WILLOW CREEK BAPTIST CHURCH AIRPORT BAPTIST CHURCH 720 ARMY POST ROAD DES MOINES, JA 50321

PREPARED FOR:

ADDRESS:

720 ARMY POST ROAD WEST DES MOINES, IA 50285

CURRENT: 10.147 AC (442,038 SF) AFTER DEDICATE ROW FOR STREET (8720 SF): 9.99 AC (435,318 SF)

COMP. PLAN LAND USE:

ZONING

RM-8 RESIDENTIAL MEDIUM DENSITY SETBACKS: FRONT / REAR = 50°

REQUIRED: 26% OF 435,318 SF = 108,829 SF (2,250 AC)

REQUIRED: (PEAK PARIONG IS WEEKEND SERVICE: NO OTHER ACTIVITES OCCURE (1 SPACE / 4 SEAT) X 562 SEATS = 141 STALL

PROVIDED: 186 STALLS (INCLUDING 8 HANDICAP ACCESSIBLE

IMPERVIOUS SURFACE: EXISTING: 128,978 SF (2.96 AC) 30.1% OF SITE BY THIS MODIFICATION: + 13,794 SF (0.32 AC) OR 3.2% RESULT: 142,770 SF (3.28 AC) 33.3%

CONTACT FOR EROSION/SEDIMENT CONTROL:

SHEET INDEX:

C0.1 COVER SHEET

C0.2 EXISTING SITE C1.1 DEMO PLAN

LAYOUT PLAN

GRADING PLAN C4.1 LANDSCAPE PLAN



HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY ICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWAL

RICHARD H. BAUMHOVER, P.E. 12386 LICENSE RENEWAL DATE: DEC. 31, 2015 PAGES OR SHEETS COVERED BY THIS SEAL:

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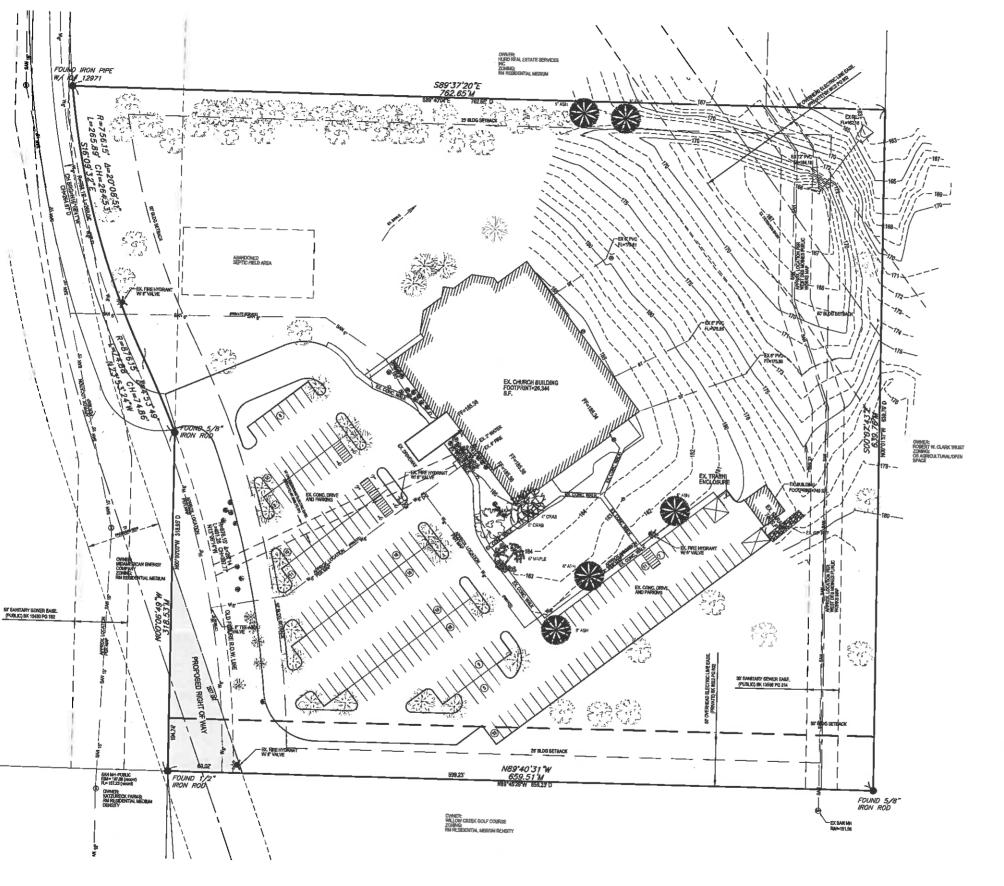
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TELE -- TELEPHONE LINE

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S SANITARY MANHOLE

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8 IRRIGATION CONTROL VALVE

WATER MANHOLE
WELL

WATER VALVE

WATER SHUT OFF

® ELECTRIC MANHOLE

ELECTRIC METER

ELECTRIC RISER

ELECTRIC VALILT

POWER POLE

TRANSFORMER POLE

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⑤ FIBER OPTIC RISER

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CABLE TV RISER

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DENOTES NUMBER OF PARKING STALLS
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D DRED DIMENSION

M MEASURED DIMENSION

GRAPHIC SCA

GRAPHIC SCALE

ONE CALL

UTILITY NOTE:
THE LOCATION OF THE UTILITIES INDICATED ON THE PLANS ARE TAKEN FROM EXISTING PUBLIC RECORDS AND ARE APPROXIMATE LOCATIONS. THE EXACT LOCATIONS OF ALL UTILITIES HUST BE ASCERTANDED IN THE FIELD. IT SHALL BE THE DUTY OF THE CONTRACTION TO DETERMINE WHETHER ANY ADDITIONAL FACILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT.

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PRINT DATE: JANUARY 9, 2015 (BID SET) SHEFINAME: EXSITNG-SITE

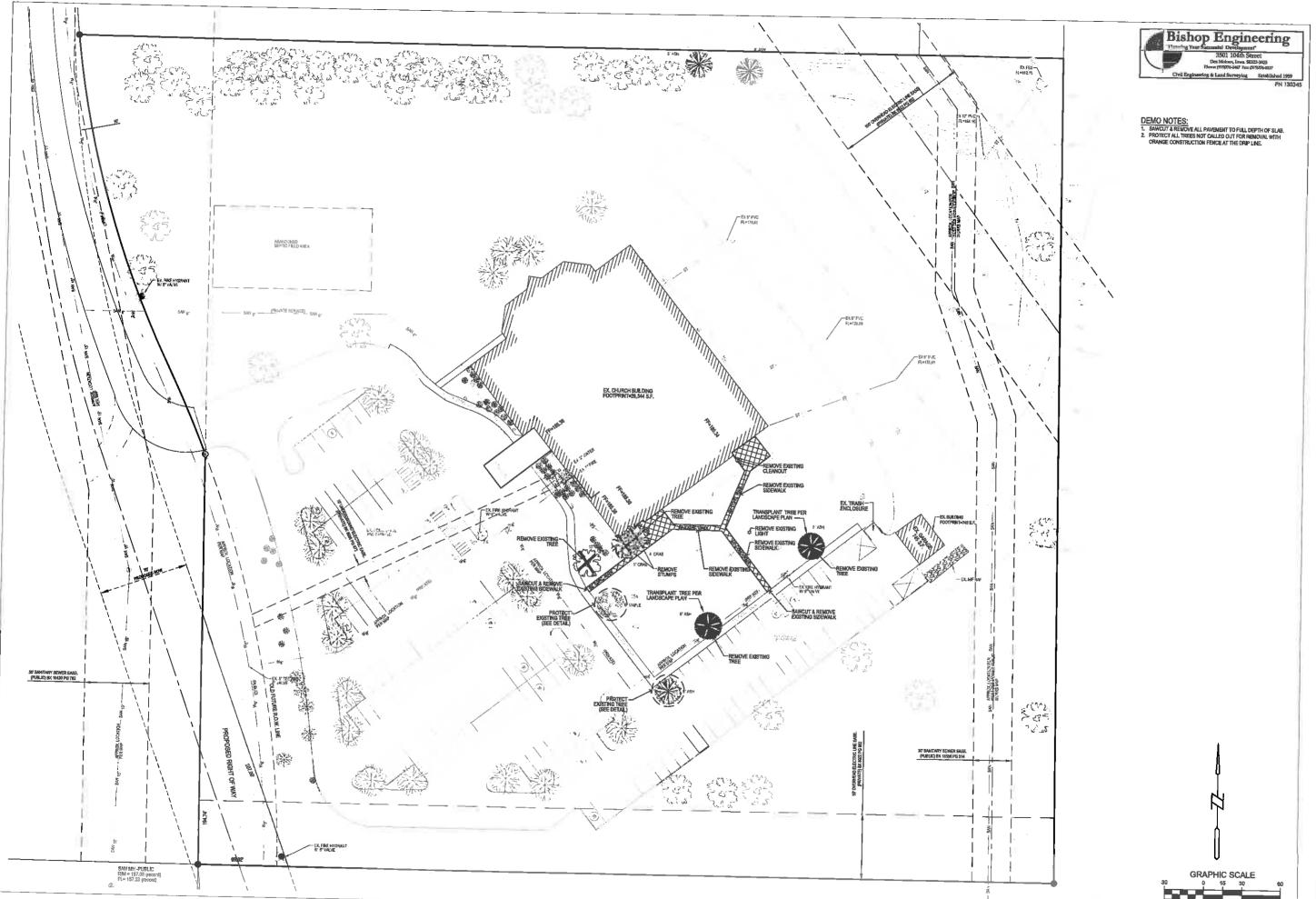
(515) 314-9852 (515) 493-0003

STUDIO MELEE 820 FIRST STREET, SUITE 220

> CLASSROOM A D D I T I O N

720 ARMY POST ROAD WEST DES MOINES, IOWA 50265

WILLOW CREEK BAPTIST CHURCH



{515} 314-9852 [515] 493-0003

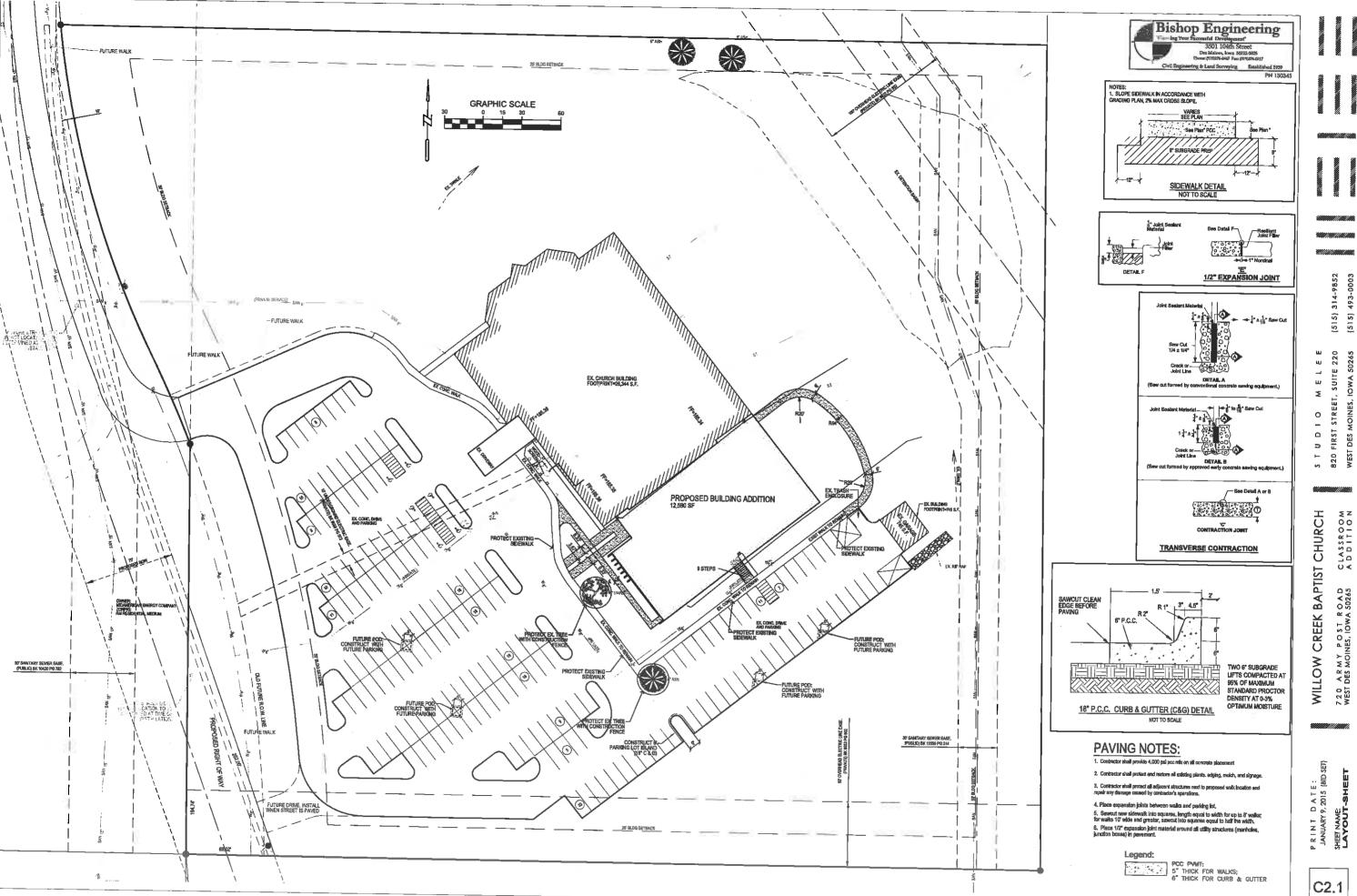
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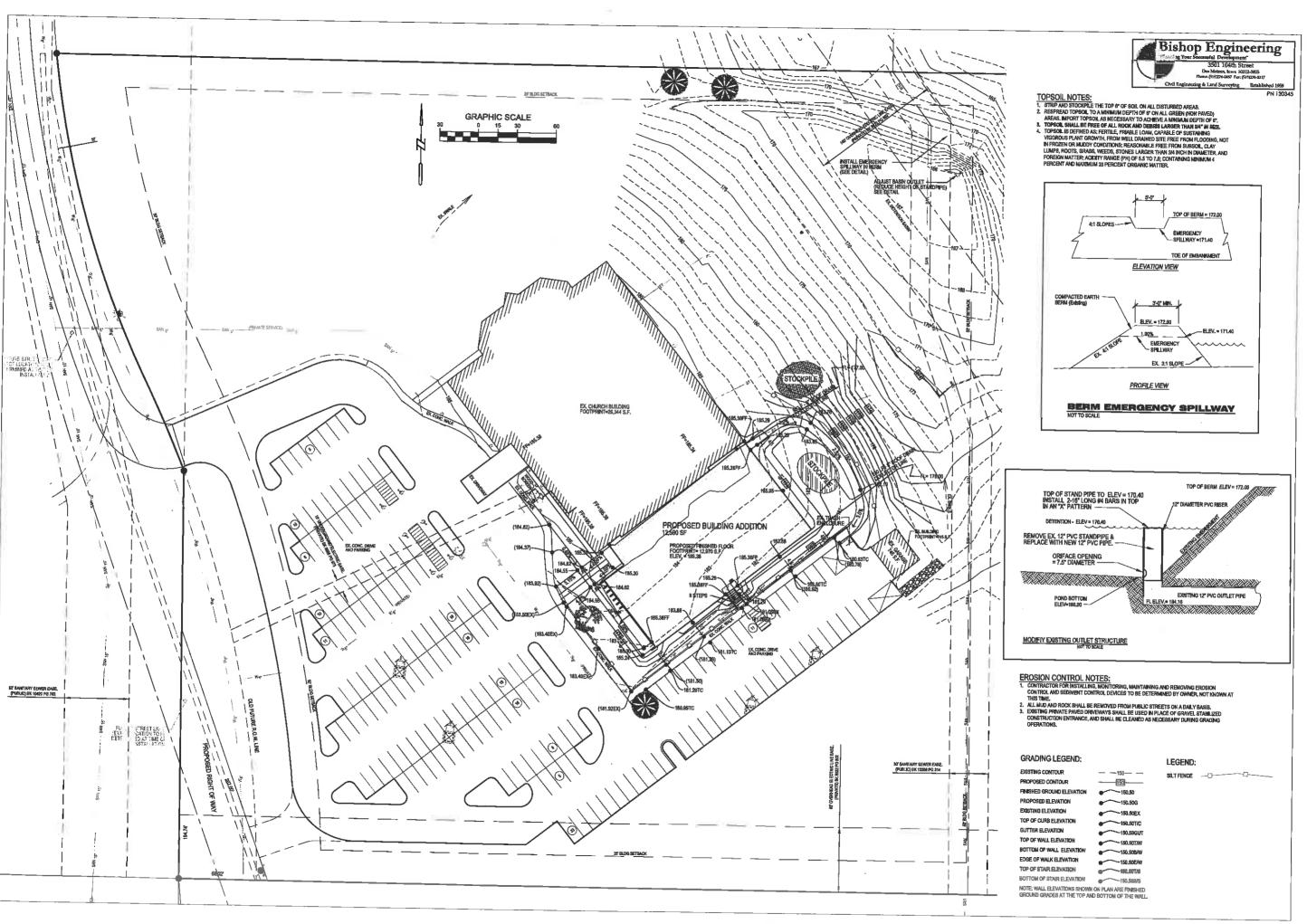
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JANUARY 9, 2015 (BID SET)
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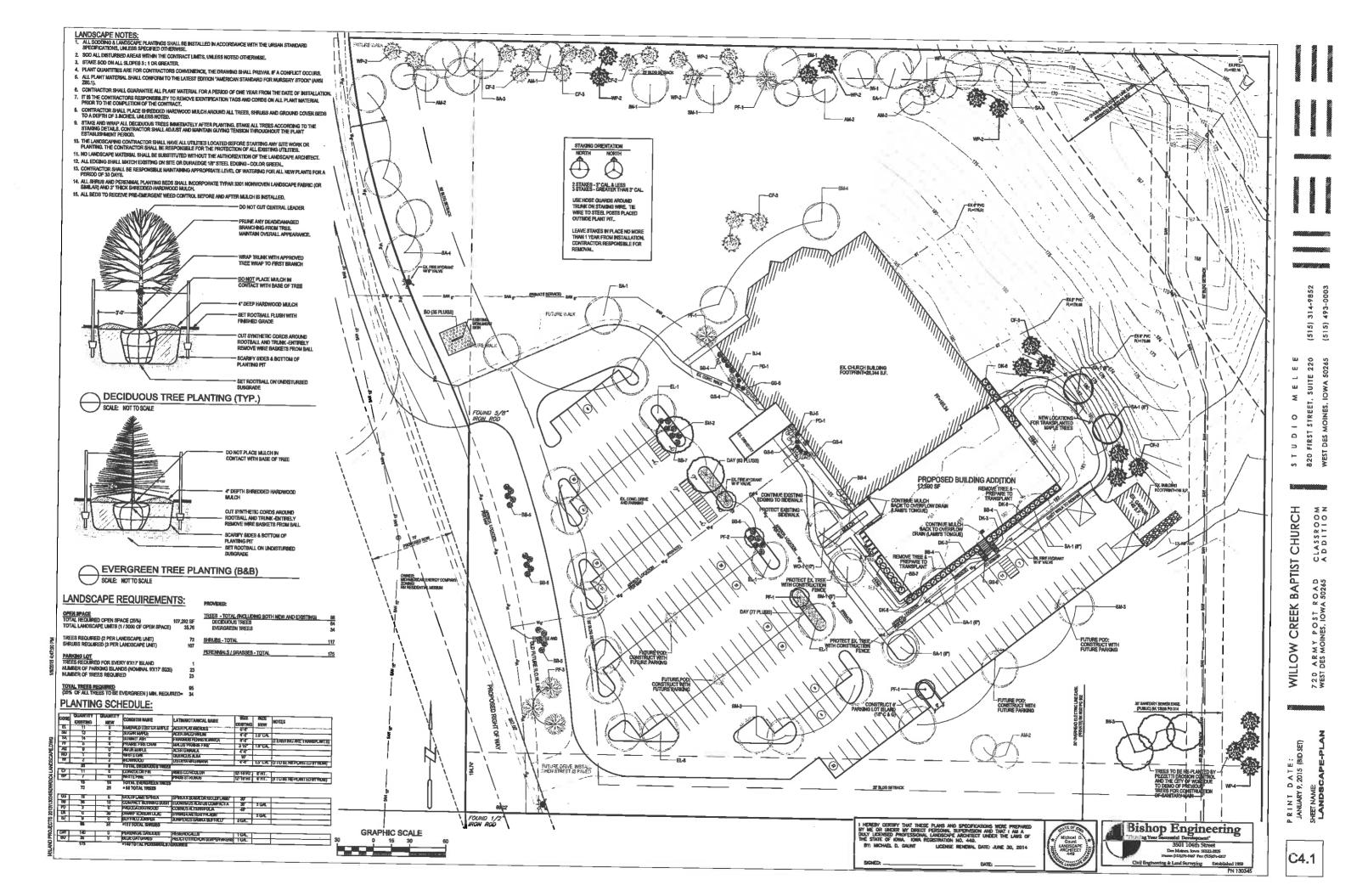
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PRINT DATE: JANUARY 9, 2015 (BID SET)



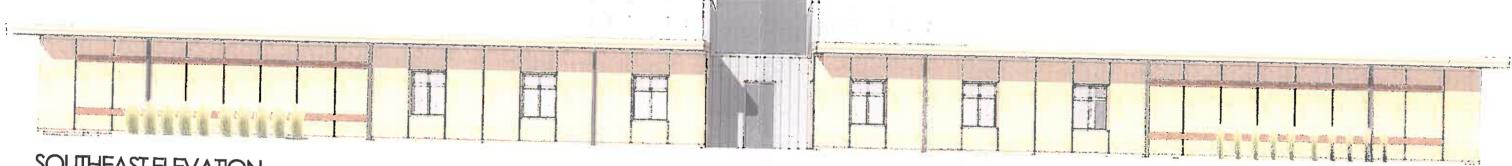


RECEIVED CITY OF WDM

SOUTHWEST ELEVATION

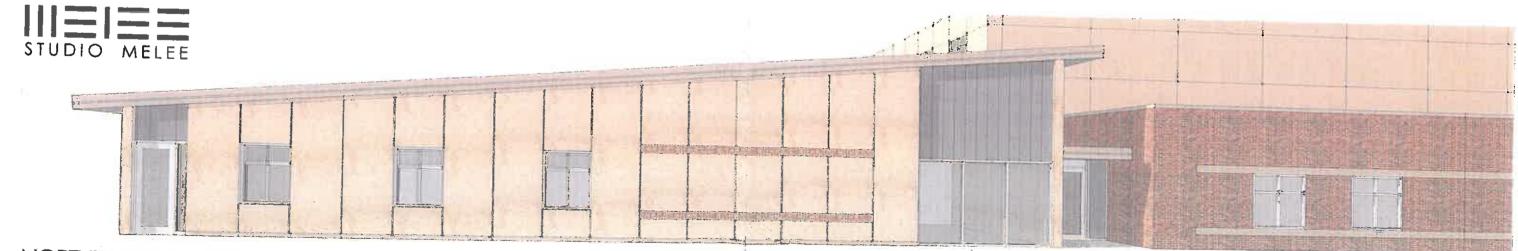
NOV 1 4 2014 DEVELOPMENT SERVICES VIEW OF FRONT ENTRY





SOUTHEAST ELEVATION

VIEW FROM PARKING LOT



NORTHEAST ELEVATION

VIEW FROM GOLF COURSE

B Portz, City of West Des Moines Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES, APPROVING A PERMITTED CONDITIONAL USE PERMIT (PC-002549-2014) TO ALLOW CONSTRUCTION OF A BUILDING ADDITION ONTO THE EXISTING CHURCH.

WHEREAS, pursuant to the provisions of Title 9, Zoning, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Willow Creek Baptist Church, has requested approval of a Conditional Use Permit (PC-002549-2014) for that property located at 720 Army Post Road and legally described below for the purpose of constructing a building addition onto the existing Church;

Legal Description of Property

ALL THAT PART OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 78 NORTH, RANGE 25 WEST, AND ALL THAT PART OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 25 WEST, WEST DES MOINES, POLK COUNTY, IOWA BEING MORE PARTICULARLY AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 35, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID SECTION 34; THENCE NORTH 89°-44'-08" WEST ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 A DISTANCE OF 107.85 FEET; THENCE SOUTH 00°-15'-54" WEST A DISTANCE OF 71.74 FEET TO THE SOUTH RIGHT OF WAY LINE OF ARMY POST ROAD, AS IT IS PRESENTLY ESTABLISHED: THENCE SOUTH 00°-00'-00" EAST A DISTANCE OF 990.69 FEET; THENCE SOUTHEASTERLY ALONG A 756.15 FOOT RADIUS CURVE CONCAVE EASTERLY A DISTANCE OF 80.05 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 03°-01'-58" EAST AND A CHORD OF 80.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°-40'-04" EAST A DISTANCE OF 762.65 FEET; THENCE SOUTH 00°-01'-57" EAST A DISTANCE OF 639.76 FEET; THENCE NORTH 89°-45'-26" WEST A DISTANCE OF 659.23 FEET; THENCE NORTH 00°-00'-00" EAST A DISTANCE OF 318.65 FEET; THENCE NORTHWESTERLY ALONG A 876.15 FOOT RADIUS CURVE CONCAVE WESTERLY A DISTANCE OF 74.88 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 23°-46'-35" WEST AND A CHORD OF 74.86 FEET; THENCE NORTHWESTERLY ALONG A 756.15 FOOT RADIUS CURVE CONCAVE EASTERLY A DISTANCE OF 266.04 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 16°-08'-41" WEST AND A CHORD OF 246.67 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 10.147 ACRES MORE OR LESS. SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on, January 14, 2015, this Board of Adjustment held a duly-noticed hearing to consider the application for a Permitted Conditional Use Permit for Willow Creek Baptist Church (PC-002549-2014);

NOW, THEREFORE, THE BOARD OF ADJUSTMENTS OF THE CITY OF WEST DES MOINES DOES

RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, stated in the staff report, dated January 14, 2015, or as amended orally at the Board of Adjustment meeting of January 14, 2015, are adopted.

SECTION 2. Permitted Conditional Use Permit for Willow Creek Baptist Church (PC-002549-2014) to construct an approximately 13,000 square foot building addition is approved, subject to compliance with all the conditions in the staff report, dated January 14, 2015, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on January 14, 2015.
Jennifer Drake, Chairperson Board of Adjustment
ATTEST:
Recording Secretary
I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustment of the City of West Des Moines, Iowa, at a regular meeting held on January 14, 2015, by the following vote:
AYES:
NAYS: ABSTENTIONS:
ABSENT:
ATTEST:
Recording Secretary

EXHIBIT A Conditions of Approval

 A deferral is granted to defer construction of four landscape pods as designated on the approved site plan until such time that the parking lot is modified, expanded or reconstructed in the future.

2. The City Council granting a deferral of the installation of sidewalks along the east side of the future S8th Street. The Specific duration of the deferral to be determined by the City Council. If the deferral is not granted, the applicant shall install the sidewalk in conjunction with the construction of the building

3. The City Council granting a deferral of installation of streetlights along the east side of the future S8th Street. The Specific duration of the deferral to be determined by the City Council. If the deferral is not of the applicant shall install the streetlights along S8th Street in conjunction with the construction of the building addition.